



Substitute Senate Bill No. 853

Public Act No. 13-7

***AN ACT CONCERNING TECHNICAL AND OTHER REVISIONS TO
STATUTES CONCERNING THE DEPARTMENT OF
REHABILITATION SERVICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-297 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Rehabilitation Services is authorized to aid in securing employment for [capable] legally blind [or partially blind] persons. [in industrial and mercantile establishments and in other positions which offer financial returns.] Said commissioner may aid [needy] legally blind persons in such way as said commissioner deems expedient, expending for such purpose such sum as the General Assembly appropriates. [, provided the maximum expenditure for any one person shall not exceed the sum of nine hundred and sixty dollars in a fiscal year, but, if said maximum amount is insufficient to furnish necessary medical or hospital treatment to a beneficiary, said commissioner may authorize payment of such additional costs as the commissioner deems necessary and reasonable.]

Sec. 2. Section 10-298 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) [The Commissioner of Rehabilitation Services shall, annually, as provided in section 4-60, submit to the Governor a report, containing a statement of the activities of the Department of Rehabilitation Services relating to services provided by the department to individuals in the state who are legally blind or visually impaired during the preceding year.] The [commissioner] Commissioner of Rehabilitation Services shall prepare and maintain a register of the blind in this state which shall describe their condition, cause of blindness and capacity for education and rehabilitative training. The commissioner may register cases of persons whose eyesight is seriously defective and who are liable to become visually disabled or blind, and may take such measures in cooperation with other authorities as the commissioner deems advisable for the prevention of blindness or conservation of eyesight and, in appropriate cases, for the education of children and for the vocational guidance of adults having seriously defective sight but who are not blind. The commissioner shall establish criteria for low vision care and maintain a list of ophthalmologists and optometrists that are exclusively authorized to receive agency funds through established and existing state fee schedules for the delivery of specifically defined low vision services that increase the capacity of eligible recipients of such services to maximize the use of their remaining vision.

(b) The Commissioner of Rehabilitation Services may accept and receive any bequest or gift of personal property and, subject to the consent of the Governor and Attorney General as provided in section 4b-22, any devise or gift of real property made to the Commissioner of Rehabilitation Services, and may hold and use such property for the purposes, if any, specified in connection with such bequest, devise or gift.

(c) The Commissioner of Rehabilitation Services shall provide the

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Department of Motor Vehicles with the names of all individuals sixteen years of age or older who, on or after October 1, 2005, have been determined to be blind by a physician or optometrist, as provided in section 10-305. The Commissioner of Rehabilitation Services shall provide simultaneous written notification to any individual whose name is being transmitted by the Commissioner of Rehabilitation Services to the Department of Motor Vehicles. The Commissioner of Rehabilitation Services shall update the list of names provided to the Department of Motor Vehicles on a quarterly basis. The list shall also contain the address and date of birth for each individual reported, as shown on the records of the Department of Rehabilitation Services. The Department of Motor Vehicles shall maintain such list on a confidential basis, in accordance with the provisions of section 14-46d. The [Department] Commissioner of Rehabilitation Services shall enter into a memorandum of understanding with the [Department] Commissioner of Motor Vehicles to effectuate the purposes of this subsection.

Sec. 3. Subsection (a) of section 17b-607 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Commissioner of [Social] Rehabilitation Services is authorized to establish and administer a fund to be known as the Assistive Technology Revolving Fund. Said fund shall be used by said commissioner to make loans to persons with disabilities, senior citizens or the family members of persons with disabilities or senior citizens for the purchase of assistive technology and adaptive equipment and services. Each such loan shall be made for a term of not more than [five] ten years. Any loans made under this section after July 1, 2013, shall bear interest at a fixed rate [to be determined in accordance with subsection (t) of section 3-20] not to exceed six per cent. Said commissioner is authorized to expend any funds necessary

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for the reasonable direct expenses relating to the administration of said fund. Said commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the purposes of this section.

Sec. 4. Section 17b-612 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Department of Rehabilitation Services shall establish a program to assist disabled public school students in preparing for and obtaining competitive employment and to strengthen the linkage between vocational rehabilitation services and public schools. Under the program, the Department of Rehabilitation Services shall provide, within the limits of available appropriations, vocational evaluations and other appropriate transitional services and shall [place] provide vocational rehabilitation counselors [in the following] to school districts [; Hartford, West Hartford, Norwich, Bloomfield, Wethersfield and other school districts selected by the Department of Rehabilitation Services] throughout the state. The counselors shall, if requested, assist those persons planning in-school skill development programs. The counselors shall, with planning and placement team members, develop transition plans and individual education and work rehabilitation plans for disabled students who will no longer be eligible for continued public school services. Students whose termination date for receipt of public school services is most immediate shall be given priority.

Sec. 5. Section 17b-650a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is created a Department of Rehabilitation Services. The Department of Social Services shall provide administrative support services to the Department of Rehabilitation Services until the Department of Rehabilitation Services requests cessation of such services, or until June 30, 2013, whichever is earlier. The Department of

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Rehabilitation Services shall be responsible for providing the following: (1) ~~[Providing services]~~ Services to the deaf and hearing impaired; (2) ~~[providing]~~ services for the blind and visually impaired; and (3) ~~[providing]~~ rehabilitation services in accordance with the provisions of the general statutes concerning the Department of Rehabilitation Services. The Department of Rehabilitation Services shall constitute a successor authority to the Bureau of Rehabilitative Services in accordance with the provisions of sections 4-38d, 4-38e and 4-39.

(b) The department head shall be the Commissioner of Rehabilitation Services, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, and shall have the powers and duties described in said sections. The Commissioner of Rehabilitation Services shall appoint such persons as may be necessary to administer the provisions of public act 11-44 and the Commissioner of Administrative Services shall fix the compensation of such persons in accordance with the provisions of section 4-40. The ~~[commissioner]~~ Commissioner of Rehabilitation Services may create such sections within ~~[said department]~~ the Department of Rehabilitation Services as will facilitate such administration, including a disability determinations section for which one hundred per cent federal funds may be accepted for the operation of such section in conformity with applicable state and federal regulations. The Commissioner of Rehabilitation Services may adopt regulations, in accordance with the provisions of chapter 54, to implement the purposes of the department as established by statute.

(c) The Commissioner of Rehabilitation Services shall, annually, in accordance with section 4-60, submit to the Governor a report in electronic format on the activities of the Department of Rehabilitation Services relating to services provided by the department to individuals who (1) are blind or visually impaired, (2) are deaf or hearing

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impaired, or (3) receive vocational rehabilitation services. The report shall include the data the department provides to the federal government that relates to the evaluation standards and performance indicators for the vocational rehabilitation services program. The commissioner shall submit the report in electronic format, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies.

Sec. 6. Section 17b-661 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

Notwithstanding any other provision of the general statutes, the Department of Rehabilitation Services may, within the limits of appropriations, purchase (1) wheelchairs and placement equipment directly and without the issuance of a purchase order, provided the cost of such purchases shall not be in excess of [three thousand five hundred] twenty thousand dollars per unit, [purchased,] and (2) adaptive equipment, [and modified] including equipment to modify vehicles for persons with disabilities directly and without the issuance of a purchase order, provided the cost of such purchases of adaptive equipment shall not be in excess of [ten] one hundred twenty thousand dollars per unit. [purchased and such purchases of modified vehicles shall not be in excess of twenty-five thousand dollars per vehicle.] All such purchases shall be made in the open market, but shall, when possible, be based on at least three competitive bids. Such bids shall be solicited by sending notice to prospective suppliers and by posting notice on the Internet web site of the Department of Rehabilitation Services. Each bid shall be opened publicly at the time stated in the notice soliciting such bid. Acceptance of a bid by the Department of Rehabilitation Services shall be based on standard specifications as may be adopted by said department.

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Sec. 7. Section 17b-650 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

As used in sections 17b-650 to [17b-665] 17b-663, inclusive, and sections 10-298b and 10-298c:

[(a)] (1) "Person with a disability" means any individual with a disability, excluding blindness, as such term is applied to Title I of the Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time to time;

[(b)] (2) "Vocational rehabilitation service" means any goods and services necessary to render a person with a disability employable, in accordance with Title I of the Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time to time;

[(c)] (3) "Community rehabilitation program" means a program that provides directly for or facilitates the provision of vocational rehabilitation services to persons with disabilities, as defined in the Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time to time;

[(d)] (4) "Products are made or manufactured by or services are provided by persons with disabilities" if not less than seventy-five per cent of the hours of direct labor required for such products or services are performed by persons with disabilities.

Sec. 8. Subsection (a) of section 17b-655 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) In carrying out sections 17b-650 to [17b-665] 17b-663, inclusive, as amended by this act, the Department of Rehabilitation Services shall cooperate with other departments, agencies and institutions, both public and private, in providing for the vocational rehabilitation of

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persons with disabilities, in studying the problems involved therein and in establishing, developing and providing such programs, facilities and services as it deems necessary or desirable. Notwithstanding any other provision of the general statutes, the Department of Rehabilitation Services shall not be required to pay that portion of the cost of a program of postsecondary education or training which is properly designated as expected parental or family contribution in accordance with state and federal law regarding eligibility for student financial aid.

Sec. 9. Section 17b-662 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The right of a person with disability to maintenance under sections 17b-650 to [17b-665] 17b-663, inclusive, as amended by this act, shall not be transferable or assignable at law or in equity.

Sec. 10. Sections 17b-665 and 46a-32 of the general statutes are repealed. (*Effective July 1, 2013*)

Approved May 13, 2013